

S. B. 232

CHAPTER 766

AN ACT TO AMEND CHAPTER NINETY-SEVEN OF THE
GENERAL STATUTES OF NORTH CAROLINA RELATIVE TO THE WORKMEN'S COMPENSATION ACT.*The General Assembly of North Carolina do enact:*

Amending Workmen's Compensation Act.

Exempting certain logging and sawmilling operations.

Adding new section after Section 97 - 2 (e).

Relating compensation wherein injured employee is less than 21.

Amending Section 97 - 4.

Amending Section 97 - 7.

SECTION 1. Chapter ninety-seven of the General Statutes of North Carolina is hereby amended as follows:

1. Amend Section ninety-seven - two (a) by inserting a comma after the word "services" in line seven, and striking out the remainder of the sentence, and in lieu thereof insert the following: and an individual sawmill and logging operator with less than ten (10) employees, who saws and logs less than sixty (60) days in any six consecutive months and whose principal business is unrelated to sawmilling or logging.

2. Amend Section ninety-seven - two (e) by adding after the end of said subsection a new paragraph to read as follows:

Where a minor employee, under the age of twenty-one years, sustains a permanent disability or dies, the compensation payable for permanent disability or death shall be calculated, first, upon the average weekly wage paid to adult employees employed by the same employer at the time of the accident in a similar or like class of work which the injured minor employee would probably have been promoted to if not injured, or, second, upon such other method as may be used to compute the average weekly wage as will most nearly approximate the amount which the injured employee would be earning as an adult if it were not for the accident. Compensation for temporary total disability shall be computed upon the average weekly wage at the time of the accident, unless the total disability extends more than fifty-two weeks and then the compensation may be increased in proportion to his expected earnings.

3. Amend Section ninety-seven - four by striking out in lines eight and nine the words "and notice of waiver of exemption heretofore referred to"; and by inserting after the period and before the word "The" in line fifteen the following:

An employee may waive notice of nonacceptance by giving five days notice in the manner provided for nonacceptance.

4. Amend Section ninety-seven - seven by striking out the remainder of said section after the word "them": in line nine and inserting in lieu thereof the following:

Provided, that all counties are hereby authorized to self-insure or purchase insurance to secure its liability under this